UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
------------------------------------X
                                    :
UNITED STATES OF AMERICA            :
                                    :        [PROPOSED] ORDER
        - v. -                      :
                                    :
THOMAS IRIGOYEN,                    :        S2 19 Cr. 226 (WHP)
                                    :
            Defendant.              :
                                    :
------------------------------------X

        WHEREAS, the United States of America seeks to provide

in unredacted form certain documents pursuant to Rule 16 of the

Federal Rules of Criminal Procedure; and

        WHEREAS, some material that the Government seeks to

provide contains sensitive information, including identification

information, related to specific individuals; and

        WHEREAS, the Government is willing, under the

conditions set forth below, to produce such materials;

        IT IS HEREBY agreed, by and between the United States

of America, Geoffrey S. Berman, United States Attorney, by

Daniel H. Wolf, Assistant United States Attorney, and defendant

Thomas Irigoyen, by and through his attorney, Michael Tremonte,

Esq., that:

        1.    Any material reflecting sensitive identification

information (including, but not limited to, names, addresses,

dates of birth, Social Security numbers, driver's license

information, and telephone numbers) produced by the Government

in this action is deemed "Sensitive Information" and shall be so identified by the Government.

  2. Sensitive Information disclosed to the defendant or to his counsel during the course of proceedings in this action:

  (a) Shall be used by the defendant and his counsel only for purposes of the defense of this action;

  (b) Shall be maintained in a safe and secure manner solely by the defendant's counsel; shall not be possessed by the defendant, except in the presence of the defendant's counsel; and shall not be disclosed in any form by the defendant or his counsel except as set forth in paragraph 2(c) below;

  (c) May be disclosed by the defendant or his counsel only to the following persons (hereinafter "Designated Persons"):

  (i) investigative, secretarial, clerical, and paralegal student personnel, or any interpreter or translator, employed full-time or part-time by the defendant's counsel;

  (ii) independent expert witnesses, investigators, or advisors retained by the defendant's counsel in connection with this action;

  (iii) such other persons as hereafter may be

authorized by the Court upon motion by the defendant; and

(d)   Shall either be returned to the Government following the conclusion of the trial of the above-referenced action or upon the defendant's sentencing or upon the conclusion of any appeals, or maintained by defendant's counsel as required by counsel's duties and responsibilities as counsel, as the case may be, provided that defendant's counsel maintain the Sensitive Information in accordance with Paragraph 2(b).

3.   The defendant and his counsel shall provide a copy of this Order to Designated Persons to whom they disclose Sensitive Information pursuant to paragraph 2(c).  Prior to disclosure of Sensitive Information to Designated Persons, pursuant to paragraph 2(c), any such Designated Person shall agree to be subject to the terms of this Order by signing a copy hereof and providing such copy to the Government and the defendant's counsel.

4.   The provisions of this Order shall not be construed as preventing the disclosure of any information in any motion, hearing, trial, or sentencing proceeding held in connection with the above-referenced action or to any District Judge or Magistrate Judge of this Court for purposes of the above-referenced action.

5.   With respect to Sensitive Information, any

filings with any court shall be governed by Rule 49.1 of the Federal Rules of Criminal Procedure.

      6.    The provisions of this order shall not terminate at the conclusion of this criminal prosecution and the Court will retain jurisdiction to enforce this Order following termination of the case.

Dated:    New York, New York
February 10, 2020

GEOFFREY S. BERMAN
United States Attorney for the Southern
District of New York
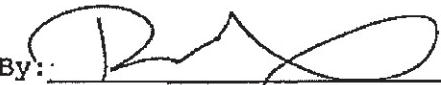
By:      2/7/2020
Daniel H. Wolf
Assistant United States Attorney

Michael Tremonte, Esq.
Attorney for Thomas Irigoyen

SO ORDERED:

WILLIAM H. PAULEY III
U.S.D.J.

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